



TOWN OF KNIGHTDALE

PLANNING DEPARTMENT

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ORD #08-05-21-002

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING MULCH, WATER AND TECHNICAL AMENDMENTS

WHEREAS, the Town of Knightdale has received a petition to amend the Unified Development Ordinance in regard to specific regulations related mulch materials, stormwater management, water allocation and clerical oversights; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.15 establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text changes comply with the goals of the Town's Comprehensive Plan because they are reasonable in that they advance the stated objectives of influencing and managing the development of the community, coordinating public and private investment, and increasing both the benefits and cost effectiveness of public investment; as well as being consistent with the stated goal of providing balanced and responsible urban design, planning and development, and protection of the Town's historical, cultural and natural resources;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1. That the Unified Development Ordinance of the Town of Knightdale Code be amended to read as follows (*explanatory notations in italics*):

Section 1.4 (A) Declaration of Necessity

In order to protect and promote the health, safety, and general welfare of the town and its extraterritorial area, this chapter is adopted by the Town Council to regulate and restrict by means of zoning and subdivision regulations the height and size of buildings and other structures, the appearance and design of developments, the percentage of lots that may be covered or occupied, the dimensions of setbacks, the size of open spaces, the density of population, the allocation of municipal water capacity, and the location, use and design of landscaping, buildings, structures, and land for trade, industry, residence, and other purposes.

Section 6.3(C)(4) Map

The provisions of this ordinance shall apply within the areas designated in Appendix E: Phase II Stormwater Map of Knightdale, North Carolina (the "Stormwater Map"). The Stormwater Map shall be kept on file by the Administrator and shall be updated to take into account changes in the land area covered by the ordinance and the geographic location of all structural BMPs permitted under this ordinance. In the event of a dispute, the applicability of this ordinance to

a particular area of land or BMP shall be determined by reference to the North Carolina Statutes, the North Carolina Administrative Code, and local zoning and jurisdictional boundary ordinances.

Section 6.3(F)(5) Additional Standards for Special Situations

▪ **Nutrient Sensitive Waters**

In addition to the standards for storm water handling set out in the design manual, development and redevelopment that drains in whole or part to class NSW waters shall design and implement the best storm water practices that reduce nutrient loading, while still meeting the other requirements of this ordinance.

Section 8.3(O) Combustible Landscaping Materials Prohibited *(Insert new subsection and bump others down).*

No pine straw or any other material with a fire rate of spread more than 24 inches per minute as determined by the most recent study of the National Institute of Standards and Technology shall be placed, kept or stored within ten feet of buildings with any portion of the exterior wall covered with combustible material. Single-family residential homes are exempt from this prohibition.

Section 10.3(A) Parking Ratios

The minimum parking requirement for any use shall be 50 percent of the stated maximum. Structured parking facilities are exempt from the stated maximum. Single-family, duplex, triplex, quadplex, townhouse and apartment parking must meet a minimum of one (1) space per bedroom, up to two (2) spaces per unit.

Note: ksf = 1000 square feet; GFA = Gross Floor Area; GLA = Gross Lease Area

Use Type	Maximum Parking Spaces
Bed & Breakfast Inns/Hotels/Motels	1.25 per guest room + 10 per ksf restaurant/lounge + 24 per ksf conference room
...	...

Section 13.3(F)

No building or structure devoted to a nonconforming use shall be enlarged, extended, reconstructed, moved, or structurally altered except as provided for in Section 13.4(F) unless such building or structure is thereafter devoted to a conforming use.

Section 16.4 Sketch Plan Requirements

(Insert new subsections)

- O. A general graphic inventory of the natural resources at the site and surrounding area out to a radius of 300 feet around the subject subdivision or site as they exist prior to the commencement of development activities. Such natural resources include but are not limited to wetlands, lakes, ponds, forest cover, stream buffers, geologic features and native vegetative areas.
- P. A graphic concept plan of the proposed post-development stormwater management system including but not limited to swales, low-impact designs elements, structural stormwater controls, flow paths, stream channel modifications, bridges and culvert crossings.

Section 17.4(L) Public Water and Sewer

(Insert new subsection and bump others down)

1. Water Allocation

In order to preserve and enhance property values, manage its limited water supply as a vital natural resource, promote economic development and incentivize smart growth practices, the allocation of Knightdale's potable water capacity shall be granted in accordance with the *Town of Knightdale Municipal Water Allocation Policy* (the "Policy") as amended from time to time. The goals and procedures contained in the policy are reviewed in May of each year and when appropriate readjusted by the Town Council. The Town's overall progress on policy goals are considered and the multipliers and/or point thresholds readjusted accordingly.

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 21st day of May, 2008.

Russell B. Killen, Mayor

ATTEST:

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney